

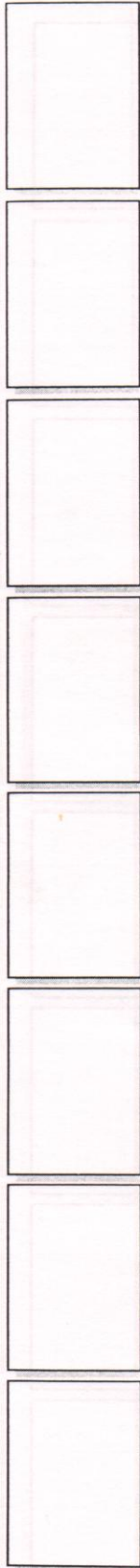
## Resources and Activities

The BAISD Science Curriculum team assembled resources and activities to enhance instruction. These activities are available at Bay-Arenac ISD for your perusal.

All titles are listed below. The resources are aligned to the Michigan Curriculum Framework Content Standards and Benchmarks and numbered accordingly – **III.2.EL.2** for example. This means Strand III, (Life Science), Content Standard 2, Elementary Benchmark 2. You may see another number after that. This list number refers to the objective for the benchmark listed in this curriculum guide.

There may be a notation concerning copyright protection is indicated, request to copy should be sent to the appropriate source. If there is no indication or there are questions concerning copyright, please read the “Guidelines for Copying of Books or Periodicals” which is included. **When in doubt, request permission to copy.**

# Guidelines for Copying of Books or Periodicals



## Rights of the Copyright Owner

*Guidelines for Classroom Copying in Nonprofit Educational Institutions* was written by Congress to help educators decide when copying print materials is allowed. It is a part of the legislative history of the 1976 Copyright Act; but is not a part of the law. The Guidelines are prefaced by this statement: "There may be instances in which copying which does not fall within the guidelines stated [below] may nonetheless be permitted under the criteria of fair use."

The copyright owner has exclusive rights to:

- reproduce the work
- prepare a derivative work
- distribute the work
- perform the work publicly
- display the work publicly

## Single Copying

These five rights of the copyright owner are clearly spelled out in the copyright law, but Congress has also added some limitations. If there were not limits on the copyright owner's rights, it would not be possible to copy anything for any reason without the owner's permission. Some of these limits are outlined specifically in various sections of the law. Other limits are addressed under the interpretations of fair use.

Educators may make single copies of a chapter of a book; an article from a periodical or newspaper; a short story, essay, or poem; a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper to teach a class.

## Multiple Copying

Multiple copies (one copy per pupil in a course) can be made if it meets the criteria of brevity, spontaneity, and cumulative effect and if each copy contains a notice of copyright.

1. **Brevity.** A complete poem printed on no more than two pages or an excerpt from a longer poem not to exceed 250 words copied in either case. A complete article, story, or essay of less than 2,500 words or an excerpt from prose less than 1,000 words or 10% of the work, whichever is less, but in either event a minimum of 500 words to be copied. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.
2. **Spontaneity.** Copying is done by the teacher when there is not a reasonable length of time to request and receive permission to copy.
3. **Cumulative Effect.** The copying is only for one course and only nine instances of multiple copying per course during one class term is allowed. Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

## Special Works

Short works such as children's books are often less than 2,500 words. These works cannot be copied as a whole; but an excerpt of not more than two published pages containing not more than 10% of the words may be reproduced.

## Prohibitions to Single or Multiple Copying

You cannot copy:

- to substitute for purchase or replacement
- workbooks, exercises, standardized tests, or answer sheets
- the same item by the same teacher term after term
- if it is directed by a higher authority
- if there is a charge to students beyond the photocopy cost
- to create, replace, or substitute for anthologies, compilations or collective works

## Fair Use

Four criteria determine whether copying can be done legally under the provision of Fair Use. ALL FOUR of the criteria must be considered in determining fair use. ALL FOUR criteria must be met before copying of any material is allowed.

1. The *purpose and character of the use*: commercial or nonprofit educational use.
2. The *nature of the copyrighted work*.
3. The *amount* to be copied in relation to the work as a whole.
4. The *effect of the use upon the potential market* for or value of the copyrighted work.

Copying parts of or entire works cannot be done simply because the purpose is educational. The Fair Use statute is used to determine the legality of copying when the instance of copying is not addressed in the other sections of the Copyright Act. In other words, first look to the Copyright Act and the accompanying guidelines for the permission to copy. If the copying is not specifically prohibited, it MAY be allowed under Fair Use.

Facts cannot be copyrighted. Factual information is in the public domain so an author can use facts, whether correct or incorrect, that are published in a copyrighted work without asking permission. Copyright permission extends only to an author's expression of facts and not the facts themselves.

The copyright owner has the rights to reproduce, adapt, and display their work. This creates special problems for graphics.

Making a single copy of a graphic or illustration from a book is acceptable if the copy is for personal research or study.

Multiple copies may be made under the fair use guidelines if:

- copying is done at the inspiration of the teacher and there is not reasonable time to request permission
- the copy is for only one course
- no more than nine instances of multiple copying is done for a course
- no more than one graphic is copied per book or periodical

Graphic artists and cartoonists are in the business of selling their artistic expressions. The primary restriction to keep in mind when making decisions about copying graphics of any type (illustrations, graphs, diagrams, charts, cartoons, drawings) is that the right to prepare derivative works rests with the copyright owner. Tracing a cartoon, enlarging an illustration with the opaque projector, etc. are not acceptable uses. The right to change the drawing, cartoon, etc. into a bulletin board display, slide, transparency, etc. rests with the copyright owner. Even if a slight modification is made to the drawing, cartoon, etc., if the drawing, cartoon, etc. is still recognizable, it is a copyright violation. Write for permission.

**You May**

- You may make a replacement copy of a damaged, deteriorating, mutilated, lost, or stolen magazine or newspaper that the library owns if a replacement can't be obtained "at a fair price".
- You may make replacement pages for pages defaced or destroyed in materials the library owns.

**You May Not**

- You may not copy a magazine or newspaper article for inclusion in the vertical file.
- You may not retain photocopies of articles requested through interlibrary loan as part of the library collection.

The request to copy should be sent, together with a stamped, self-addressed return envelope, to the permissions department of the publisher or directly to the copyright owner and should include the following information:

- title, author and/or editors, and edition of material
- exact material to be copied giving amount and page numbers
- number of copies to be made
- use to be made of the copied materials
- form of distribution (classroom, newsletter, etc.)
- whether or not the copies are to be sold
- type of reprint (photocopy, offset, etc.)

Don't ask for blanket permission to copy.

**Are Facts or Research Copyrightable?**

**Copying Graphics**

**Library Magazine Copies and the Vertical File**

**How to Request Permission to Copy**
